

**THE BURMESE FREEDOM AND DEMOCRACY ACT
OF 2003; AND CALLING ON THE GOVERNMENT
OF THE PRC IMMEDIATELY AND UNCONDITION-
ALLY TO RELEASE DR. YANG JIANLI AND
FOR OTHER PURPOSES**

MARKUP

BEFORE THE
SUBCOMMITTEE ON ASIA AND THE PACIFIC
OF THE

COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION

ON

H.R. 2330 and H. Res. 199

JUNE 10, 2003

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**THE BURMESE FREEDOM AND DEMOCRACY
ACT OF 2003; AND CALLING ON THE GOV-
ERNMENT OF THE PRC IMMEDIATELY AND
UNCONDITIONALLY TO RELEASE DR. YANG
JIANLI AND FOR OTHER PURPOSES**

TUESDAY, JUNE 10, 2003

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ASIA AND THE PACIFIC,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to call, at 2:48 p.m. in Room 2172, Rayburn House Office Building, Hon. James A. Leach [Chairman of the Subcommittee] presiding.

Mr. LEACH. Pursuant to notice, I call up the bill H.R. 2330, the Burmese Freedom and Democracy Act of 2003, for purpose of markup. Without objection, the bill will be considered as read and open for amendment.

Let me just by way of brief opening comments say I think the Subcommittee would endorse the views of the gentleman from California without hesitation. Secondly, this bill is crafted by our colleague, Dr. Lantos. A number of the Members of the Committee are co-sponsors. It involves certain sanctions on another country, and sanctions policies, frankly, are sometimes quite difficult and sometimes injure people that we would not like injured.

On the other hand, the circumstance in Burma is rather extraordinary. The great optimism that surrounded Aung San Suu Kyi's release from house arrest a little over a year ago has evaporated in the last few weeks and months. We are all, of course, pleased that the U.N. Special Envoy, Mr. Ismail, has been allowed to see her and has confirmed she is in credible health, but we as a Congress are obligated to move as theoretically significantly as we can, and so I would only stress that the restrictions under this bill are immediately released if certain conditions are met that are common sense, democratic conditions.

In addition, the President has given authority to relax aspects of the bill at his discretion in the national security interest of the United States.

[H.R. 2330 follows:]

108TH CONGRESS
1ST SESSION

H. R. 2330

To sanction the ruling Burmese military junta, to strengthen Burma's democratic forces and support and recognize the National League of Democracy as the legitimate representative of the Burmese people, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2003

Mr. LANTOS (for himself, Mr. KING of New York, Mr. HYDE, Mr. SMITH of New Jersey, Mr. RANGEL, Ms. ROS-LEHTINEN, Mr. MENENDEZ, Mr. ROHRBACHER, Mr. FALEOMAVAEGA, Mr. PITTS, Mr. LEVIN, Mr. SOUDER, Mr. ACKERMAN, Mr. SHERMAN, Mr. GEORGE MILLER of California, Mr. CROWLEY, Mr. HOFFEL, Mr. BROWN of Ohio, Mr. ENGEL, Mr. BLUMENAUER, Mr. SCHIFF, Mr. ANDREWS, Mr. MCGOVERN, Mr. OLIVER, Mr. FARR, Mr. EVANS, and Mr. ABERCROMBIE) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committees on Ways and Means, Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To sanction the ruling Burmese military junta, to strengthen Burma's democratic forces and support and recognize the National League of Democracy as the legitimate representative of the Burmese people, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Burmese Freedom and
3 Democracy Act of 2003”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) The State Peace and Development Council
7 (SPDC) has failed to transfer power to the National
8 League for Democracy (NLD) whose parliamentar-
9 ians won an overwhelming victory in the 1990 elec-
10 tions in Burma.

11 (2) The SPDC has failed to enter into meaning-
12 ful, political dialogue with the NLD and ethnic mi-
13 norities and has dismissed the efforts of United Na-
14 tions Special Envoy Razali bin Ismail to further
15 such dialogue.

16 (3) According to the State Department’s “Re-
17 port to the Congress Regarding Conditions in
18 Burma and U.S. Policy Toward Burma” dated
19 March 28, 2003, the SPDC has become “more
20 confrontational” in its exchanges with the NLD.

21 (4) On May 30, 2003, the SPDC, threatened by
22 continued support for the NLD throughout Burma,
23 brutally attacked NLD supporters, killed and in-
24 jured scores of civilians, and arrested democracy ad-
25 vocate Aung San Suu Kyi and other activists.

1 (5) The SPDC continues egregious human
2 rights violations against Burmese citizens, uses rape
3 as a weapon of intimidation and torture against
4 women, and forcibly conscripts child-soldiers for the
5 use in fighting indigenous ethnic groups.

6 (6) The SPDC has demonstrably failed to co-
7 operate with the United States in stopping the flood
8 of heroin and methamphetamines being grown, re-
9 fined, manufactured, and transported in areas under
10 the control of the SPDC serving to flood the region
11 and much of the world with these illicit drugs.

12 (7) The SPDC provides safety, security, and
13 engages in business dealings with narcotics traf-
14 fickers under indictment by United States authori-
15 ties, and other producers and traffickers of nar-
16 cotics.

17 (8) The International Labor Organization
18 (ILO), for the first time in its 82-year history,
19 adopted in 2000, a resolution recommending that
20 governments, employers, and workers organizations
21 take appropriate measures to ensure that their rela-
22 tions with the SPDC do not abet the government-
23 sponsored system of forced, compulsory, or slave
24 labor in Burma, and that other international bodies
25 reconsider any cooperation they may be engaged in

1 with Burma and, if appropriate, cease as soon as
2 possible any activity that could abet the practice of
3 forced, compulsory, or slave labor.

4 (9) The SPDC has integrated the Burmese
5 military and its surrogates into all facets of the
6 economy effectively destroying any free enterprise
7 system.

8 (10) Investment in Burmese companies and
9 purchases from them serve to provide the SPDC
10 with currency that is used to finance its instruments
11 of terror and repression against the Burmese people.

12 (11) On April 15, 2003, the American Apparel
13 and Footwear Association expressed its “strong sup-
14 port for a full and immediate ban on U.S. textiles,
15 apparel and footwear imports from Burma” and
16 called upon the United States Government to “im-
17 pose an outright ban on U.S. imports” of these
18 items until Burma demonstrates respect for basic
19 human and labor rights of its citizens.

20 (12) The policy of the United States, as articu-
21 lated by the President on April 24, 2003, is to offi-
22 cially recognize the NLD as the legitimate represent-
23 ative of the Burmese people as determined by the
24 1990 election.

1 **SEC. 3. BAN AGAINST TRADE THAT SUPPORTS THE MILI-**
2 **TARY REGIME OF BURMA.**

3 (a) GENERAL BAN.—

4 (1) IN GENERAL.—Notwithstanding any other
5 provision of law, until such time as the President de-
6 termines and certifies to Congress that Burma has
7 met the conditions described in paragraph (3), no
8 article may be imported into the United States that
9 is produced, mined, manufactured, grown, or assem-
10 bled in Burma.

11 (2) BAN ON IMPORTS FROM CERTAIN COMPA-
12 NIES.—The import restrictions contained in para-
13 graph (1) shall apply to, among other entities—

14 (A) the SPDC, any ministry of the SPDC,
15 a member of the SPDC or an immediate family
16 member of such member;

17 (B) known narcotics traffickers from
18 Burma or an immediate family member of such
19 narcotics trafficker;

20 (C) the Union of Myanmar Economics
21 Holdings Incorporated (UMEHI) or any com-
22 pany in which the UMEHI has a fiduciary in-
23 terest;

24 (D) the Myanmar Economic Corporation
25 (MEC) or any company in which the MEC has
26 a fiduciary interest;

1 (E) the Union Solidarity and Development
2 Association (USDA); and

3 (F) any successor entity for the SPDC,
4 UMEHI, MEC, or USDA.

5 (3) CONDITIONS DESCRIBED.—The conditions
6 described in this paragraph are the following:

7 (A) The SPDC has made substantial and
8 measurable progress to end violations of inter-
9 nationally recognized human rights including
10 rape, and the Secretary of State, after consulta-
11 tion with the ILO Secretary General and rel-
12 evant nongovernmental organizations, reports to
13 the appropriate congressional committees that
14 the SPDC no longer systematically violates
15 workers rights, including the use of forced and
16 child labor, and conscription of child-soldiers.

17 (B) The SPDC has made measurable and
18 substantial progress toward implementing a
19 democratic government including—

20 (i) releasing all political prisoners;

21 (ii) allowing freedom of speech and
22 the press;

23 (iii) allowing freedom of association;

24 (iv) permitting the peaceful exercise of
25 religion; and

1 (v) bringing to a conclusion an agree-
2 ment between the SPDC and the demo-
3 cratic forces led by the NLD and Burma's
4 ethnic nationalities on the transfer of
5 power to a civilian government accountable
6 to the Burmese people through democratic
7 elections under the rule of law.

8 (C) Pursuant to section 706(2) of the For-
9 eign Relations Authorization Act, Fiscal Year
10 2003 (Public Law 107–228), Burma has not
11 been designated as a country that has failed de-
12 monstrably to make substantial efforts to ad-
13 here to its obligations under international coun-
14 ternarcotics agreements and to take other effec-
15 tive counternarcotics measures, including, but
16 not limited to (i) the arrest and extradition of
17 all individuals under indictment in the United
18 States for narcotics trafficking, (ii) concrete
19 and measurable actions to stem the flow of il-
20 licit drug money into Burma's banking system
21 and economic enterprises, and (iii) actions to
22 stop the manufacture and export of
23 methamphetamines.

24 (4) APPROPRIATE CONGRESSIONAL COMMIT-
25 TEES.—In this subsection, the term “appropriate

1 congressional committees” means the Committees on
2 Foreign Relations and Appropriations of the Senate
3 and the Committees on International Relations and
4 Appropriations of the House of Representatives.

5 (b) WAIVER AUTHORITIES.—The President may
6 waive the prohibitions described in this section for any or
7 all products imported from Burma to the United States
8 if the President determines and notifies the Committees
9 on Appropriations and Foreign Relations of the Senate
10 and the Committees on Appropriations, International Re-
11 lations, and Ways and Means of the House of Representa-
12 tives that to do so is in the national security interest of
13 the United States.

14 (c) DURATION OF TRADE BAN.—The President may
15 terminate the restrictions contained in this Act upon the
16 request of a democratically elected government in Burma,
17 provided that all the conditions in subsection (a)(3) have
18 been met.

19 **SEC. 4. FREEZING ASSETS OF THE BURMESE REGIME IN**
20 **THE UNITED STATES.**

21 Not later than 60 days after the date of enactment
22 of this Act, the Secretary of the Treasury shall direct, and
23 promulgate regulations to the same, that any United
24 States financial institution holding funds belonging to the
25 SPDC or the assets of those individuals who hold senior

1 positions in the SPDC or its political arm, the Union Soli-
2 darity Development Association, shall promptly report
3 those assets to the Office of Foreign Assets Control. The
4 Secretary of the Treasury may take such action as may
5 be necessary to secure such assets or funds.

6 **SEC. 5. LOANS AT INTERNATIONAL FINANCIAL INSTITU-**
7 **TIONS.**

8 The Secretary of the Treasury shall instruct the
9 United States executive director to each appropriate inter-
10 national financial institution in which the United States
11 participates, to oppose, and vote against the extension by
12 such institution of any loan or financial or technical assist-
13 ance to Burma until such time as the conditions described
14 in section 3(a)(3) are met.

15 **SEC. 6. EXPANSION OF VISA BAN.**

16 (a) IN GENERAL.—

17 (1) VISA BAN.—The President is authorized to
18 deny visas and entry to the former and present lead-
19 ership of the SPDC or the Union Solidarity Develop-
20 ment Association.

21 (2) UPDATES.—The Secretary of State shall co-
22 ordinate on a biannual basis with representatives of
23 the European Union to ensure that an individual
24 who is banned from obtaining a visa by the Euro-
25 pean Union for the reasons described in paragraph

1 (1) is also banned from receiving a visa from the
2 United States.

3 (b) PUBLICATION.—The Secretary of State shall post
4 on the Department of State’s website the names of individ-
5 uals whose entry into the United States is banned under
6 subsection (a).

7 **SEC. 7. CONDEMNATION OF THE REGIME AND DISSEMINA-**
8 **TION OF INFORMATION.**

9 Congress encourages the Secretary of State to high-
10 light the abysmal record of the SPDC to the international
11 community and use all appropriate fora, including the As-
12 sociation of Southeast Asian Nations Regional Forum and
13 Asian Nations Regional Forum, to encourage other states
14 to restrict financial resources to the SPDC and Burmese
15 companies while offering political recognition and support
16 to Burma’s democratic movement including the National
17 League for Democracy and Burma’s ethnic groups.

18 **SEC. 8. SUPPORT DEMOCRACY ACTIVISTS IN BURMA.**

19 (a) IN GENERAL.—The President is authorized to
20 use all available resources to assist Burmese democracy
21 activists dedicated to nonviolent opposition to the regime
22 in their efforts to promote freedom, democracy, and
23 human rights in Burma, including a listing of constraints
24 on such programming.

25 (b) REPORTS.—

1 (1) FIRST REPORT.—Not later than 3 months
2 after the date of enactment of this Act, the Sec-
3 retary of State shall provide the Committees on Ap-
4 propriations and Foreign Relations of the Senate
5 and the Committees on Appropriations and Inter-
6 national Relations of the House of Representatives
7 a comprehensive report on its short- and long-term
8 programs and activities to support democracy activ-
9 ists in Burma, including a list of constraints on such
10 programming.

11 (2) REPORT ON RESOURCES.—Not later than 6
12 months after the date of enactment of this Act, the
13 Secretary of State shall provide the Committees on
14 Appropriations and Foreign Relations of the Senate
15 and the Committees on Appropriations and Inter-
16 national Relations of the House of Representatives
17 a report identifying resources that will be necessary
18 for the reconstruction of Burma, after the SPDC is
19 removed from power, including—

20 (A) the formation of democratic institu-
21 tions;

22 (B) establishing the rule of law;

23 (C) establishing freedom of the press;

13

12

1 (D) providing for the successful reintegration of military officers and personnel into Bur-
2 mese society; and

4 (E) providing health, educational, and economic development.
5

○

Mr. LEACH. Are there any other comments on the bill itself? Mr. Faleomavaega?

Mr. FALEOMAVAEGA. Mr. Chairman, I thank you for bringing this bill for consideration by our Subcommittee, and I also want to convey my thanks to the Senior Ranking Member of our side of the Committee, Dr. Lantos, for his original co-sponsorship of this bill and also thank the Committee Chairman, the gentleman from Illinois, Mr. Hyde, for his support, as well as an original co-sponsor of this important legislation.

This is a very important piece of legislation because of all the times in the past that we have supposedly tried to settle the matter of Burma. I remember talking to some of the officials of the various governments in Southeast Asia. You know, Burma is a member of Oseon. Their response to our concerns was well received. Therefore, it is best that we work with the Burmese Government, so-called government, and maybe somewhere along the lines there is a light in the tunnel to see that maybe they may change their ways.

Well, at this point now we have not seen any changes, and I think the proposed legislation to put sanctions on the military regime in Burma is most appropriate. I again hope that my colleagues will support this proposed legislation. And I think that hopefully there will be more positive changes that will be brought and also a special commendation and appreciation for what Aung San Suu Kyi has tried for all of these years on behalf of her people to bring a sense of democracy to the country in Southeast Asia.

For that, Mr. Chairman, I do want to urge my colleagues to support this proposed legislation. Thank you.

Mr. LEACH. Are there any amendments to the bill?

[No response.]

Mr. LEACH. If not, the question then occurs on the motion to report the bill, H.R. 2330, favorably as amended. All in favor say aye.

[Chorus of ayes.]

Mr. LEACH. Opposed, no.

[No response.]

Mr. LEACH. The motion is approved, and the bill is favorably reported. Without objection, the staff is directed to make any technical and conforming amendments that may be necessary.

The second resolution relates to a bill introduced by Mr. Frank of Massachusetts, which highlights the case of the U.S. lawful permanent resident Yang Jianli, who has been detained incommunicado inside China since April 26, of last year. Mr. Yang was arrested for reportedly entering China with false or incomplete identity documents, has been denied access to counsel, contact with his wife and two children, who are U.S. citizens, and his right to trial within a reasonable time.

I am placing before the Subcommittee an amendment in the nature of a substitute that updates and refines the language of the original resolution.

[H. Res. 199 and the amendment of Mr. Leach follows:]

108TH CONGRESS
1ST SESSION

H. RES. 199

Calling on the Government of the People's Republic of China immediately and unconditionally to release Dr. Yang Jianli, calling on the President of the United States to continue working on behalf of Dr. Yang Jianli for his release, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 11, 2003

Mr. FRANK of Massachusetts (for himself, Mr. LANTOS, Mr. SMITH of New Jersey, Mr. CAPUANO, Mr. COX, Mr. DELAHUNT, Mr. MCGOVERN, Mr. ABERCROMBIE, Mr. OLVER, Mr. ROHRABACHER, Mr. MARKEY, and Mr. PITTS) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Calling on the Government of the People's Republic of China immediately and unconditionally to release Dr. Yang Jianli, calling on the President of the United States to continue working on behalf of Dr. Yang Jianli for his release, and for other purposes.

Whereas according to the United States Department of State's 2002 Country Reports on Human Rights Practices in China, the Government of the People's Republic of China has "continued to commit numerous and serious [human rights] abuses", including "instances of . . . arbitrary arrest and detention, lengthy incommunicado detention, and denial of due process";

Whereas according to the 2002 Country Reports on Human Rights Practices in China, “the country’s criminal procedures were not in compliance with international standards”, “the lack of due process in the judicial system remained a serious problem”, and “authorities routinely violated legal protections in the cases of political dissidents”;

Whereas Dr. Yang Jianli, an internationally renowned scholar, pro-democracy activist, and President of the Foundation for China in the 21st Century, is an alien lawfully admitted for permanent residence into the United States who has been detained incommunicado by the Government of the People’s Republic of China since April 26, 2002;

Whereas according to the United Nations Commission on Human Rights Resolution 1997/38, “prolonged incommunicado detention may . . . itself constitute a form of cruel, inhuman, or degrading treatment”, which is prohibited by international law;

Whereas Dr. Yang Jianli has been deprived of his basic human rights by being denied access to legal counsel and contact with his wife and two children (who are United States citizens), and has also been denied his right to trial within a reasonable time or to release; and

Whereas the arbitrary imprisonment of United States citizens and permanent resident aliens by the Government of the People’s Republic of China, and its continuing violations of their fundamental human rights, demands a forceful response by the Congress and the President of the United States: Now, therefore, be it

1 *Resolved*, That—

1 (1) the House of Representatives—

2 (A) condemns and deplores the incommuni-
3 cado detention of Dr. Yang Jianli, and calls for
4 his immediate and unconditional release;

5 (B) condemns and deplores the lack of due
6 process afforded to Dr. Yang;

7 (C) strongly urges the Government of the
8 People's Republic of China to respond to the re-
9 peated requests by Members of the House of
10 Representatives for information about Dr.
11 Yang's whereabouts and condition; and

12 (D) strongly urges the Government of the
13 People's Republic of China to consider the im-
14 plications for the broader relationship between
15 the United States and the People's Republic of
16 China of detaining permanent resident aliens of
17 the United States without providing them ac-
18 cess to legal counsel or family members; and

19 (2) it is the sense of the House of Representa-
20 tives that the President—

21 (A) should make the immediate release of
22 Dr. Yang Jianli by the Government of the Peo-
23 ple's Republic of China a top priority of United
24 States foreign policy;

1 (B) should continue to make every effort
2 to assist Dr. Yang Jianli and his family while
3 discussions of his release are ongoing;

4 (C) should make it clear to the Govern-
5 ment of the People's Republic of China that the
6 detention of United States citizens and perma-
7 nent resident aliens, and the infliction of human
8 rights violations on these groups, is not in the
9 interests of the Government of the People's Re-
10 public of China because it will reduce the op-
11 portunities for cooperation between the United
12 States and the People's Republic of China on
13 other matters; and

14 (D) should immediately send a special,
15 high-ranking representative of the United
16 States Government to the People's Republic of
17 China to reiterate the deep concern of the
18 United States regarding the continued impris-
19 onment of Dr. Yang Jianli and other United
20 States citizens and permanent resident aliens
21 whose human rights are being violated and to
22 discuss their legal status and immediate hu-
23 manitarian needs.

○

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO
H. RES. 199
OFFERED BY MR. LEACH

Strike the preamble and insert the following:

Whereas according to the United States Department of State's 2002 Country Reports on Human Rights Practices in China, the Government of the People's Republic of China has "continued to commit numerous and serious [human rights] abuses", including "instances of . . . arbitrary arrest and detention, lengthy incommunicado detention, and denial of due process";

Whereas according to the 2002 Country Reports on Human Rights Practices in China, "the country's criminal procedures were not in compliance with international standards", "the lack of due process in the judicial system remained a serious problem", and "authorities routinely violated legal protections in the cases of political dissidents";

Whereas Dr. Yang Jianli, an internationally renowned scholar, prodemocracy activist, and President of the Foundation for China in the 21st Century, is an alien lawfully admitted for permanent residence into the United States;

Whereas Dr. Yang Jianli has been detained incommunicado by the Government of the People's Republic of China since April 26, 2002, when he was arrested for reportedly entering China with false or incomplete identity documents;

Whereas according to the United Nations Commission on Human Rights Resolution 1997/38, “prolonged incommunicado detention may . . . itself constitute a form of cruel, inhuman, or degrading treatment”, which is prohibited by international law;

Whereas Dr. Yang Jianli has been deprived of his basic human rights by being denied access to legal counsel and contact with his wife and two children (who are United States citizens), and has also been denied his right to trial within a reasonable time or to release;

Whereas on May 7, 2003, the United Nations Working Group on Arbitrary Detention expressed the opinion that “[t]he non-observance of Mr. Yang Jianli’s right to a fair trial is of such gravity as to give his deprivation of liberty an arbitrary character. Therefore, his arrest and detention is arbitrary being in contravention of Article 9 of the Universal Declaration on Human Rights and of Article 9 of the International Covenant on Civil and Political Rights”; and

Whereas the arbitrary imprisonment and the violation of the human rights of United States citizens and permanent resident aliens by the Government of the People’s Republic of China are sources of continuing, grave concern to the House of Representatives: Now, therefore, be it

Strike the resolving clause and insert the following:

- 1 *Resolved*, That—
- 2 (1) the House of Representatives—
- 3 (A) condemns and deplores the incommuni-
- 4 cado detention of Dr. Yang Jianli, and calls for
- 5 his immediate and unconditional release;

1 (B) condemns and deplores the lack of due
2 process afforded to Dr. Yang;

3 (C) strongly urges the Government of the
4 People's Republic of China to respond to the re-
5 peated requests by Members of the House of
6 Representatives for information about Dr.
7 Yang's whereabouts and condition; and

8 (D) strongly urges the Government of the
9 People's Republic of China to consider the im-
10 plications for the broader relationship between
11 the United States and the People's Republic of
12 China of detaining permanent resident aliens of
13 the United States without providing them ac-
14 cess to legal counsel or family members; and

15 (2) it is the sense of the House of Representa-
16 tives that the United States—

17 (A) should make the immediate release of
18 Dr. Yang Jianli by the Government of the Peo-
19 ple's Republic of China a top concern of United
20 States foreign policy;

21 (B) should continue to make every effort
22 to assist Dr. Yang Jianli and his family while
23 discussions of his release are ongoing;

24 (C) should make it clear to the Govern-
25 ment of the People's Republic of China that the

1 detention of United States citizens and perma-
2 nent resident aliens and the infliction of human
3 rights violations on these groups are not in the
4 interest of the Government of the People's Re-
5 public of China because they create obstacles to
6 improved bilateral relations and cooperation
7 with the United States; and

8 (D) should reiterate the deep concern of
9 the United States regarding the continued im-
10 prisonment of Dr. Yang Jianli and other
11 United States citizens and permanent resident
12 aliens whose human rights are being violated,
13 and discuss their legal status and immediate
14 humanitarian needs with the Government of the
15 People's Republic of China.

Mr. LEACH. The most substantial change is an additional finding that notes the recent determination of the U.N. Working Group on Arbitrary Detention which found that Mr. Yang's detention is arbitrary and in contravention of the Universal Declaration on Human Rights.

Are there any amendments to the bill? [No response.]

Mr. LEACH. If not, the question occurs——

Mr. ROHRABACHER. Mr. Chairman?

Mr. LEACH. Yes?

Mr. ROHRABACHER. Could I have moment——

Mr. LEACH. Yes.

Mr. ROHRABACHER [continuing]. To express support for this legislation?

Mr. LEACH. Without objection.

Mr. ROHRABACHER. This resolution goes to the heart of the issues before us today and the issues of this discussion, but we are talking about one man here. We are talking about the human rights of one man. It just happens to be an American citizen.

Let us by the bill we just voted for before about Burma, as well as with this legislation, recognize that our founding fathers talked about human rights and talked about democracy as unalienable rights to all people everywhere. This is not something that is a task for us, but this is part of our obligation as free people to express our solidarity.

By standing up for this one American's rights, however, let us make sure that the people of China know that we are not just condemning this activity because it is happening to an American. We are condemning the way they treat the Fallun Gong. We are condemning the way they treat other believers in God. We are condemning the way they treat their labor movement. We are condemning the way they treat anyone who disagrees with the system in Communist China.

This man who is in prison now, this American of Chinese descent who is in prison there now, highlights both what America believes, but also highlights the condition of the people of China, so as we vote for this we are not only just voting about one man. We are voting on a principal, and we are voting for freedom for the people of China.

Thank you very much.

Mr. LEACH. The question now comes on the resolution, H. Res. 199. All those in favor say aye. [Chorus of ayes.]

Mr. LEACH. Those opposed say no. [No response.]

Mr. LEACH. And I note that that resolution was amended, and so it is H. Res. 199 as amended. Without objection, the staff is directed to make any technical and conforming amendments. The resolution is passed unanimously.

There are no further resolutions before the Committee. I thank the panel. I thank the Committee for their additional comments. The Committee is adjourned.

[Whereupon, at 3:01 p.m. the Subcommittee was adjourned.]